IN THE DRAWINGS

Replacement drawings in compliance with 37 C.F.R. 1.121(d) are submitted herewith.

REMARKS

This response is intended as a full and complete response to the final Office Action mailed May 26, 2005. In the Office Action, the Examiner notes that claims 1-11 are pending and rejected. By this response, claims 1, 2, and 10 are amended. Claims 3-9 and 11 continue unamended. New claim 12 has been added. No new matter has been entered.

In view of both the amendments presented above and the following discussion, Applicants submit that none of the claims now pending in the application are obvious under the provisions of 35 U.S.C. §103. Thus, Applicants believe that all of the pending claims are now in allowable form.

It is to be understood that Applicants, by amending the claims, do not acquiesce to the Examiner's characterizations of the art of record or to Applicants' subject matter recited in the pending claims. Further, Applicants are not acquiescing to the Examiner's statements as to the applicability of the art of record to the pending claims by filing the instant responsive amendments.

OBJECTIONS

Drawings

New corrected drawings are enclosed in response to the Examiner's request for new corrected drawings in compliance with 37 C.F.R. 1.121(d).

REJECTIONS

Claims 1 and 3

The Examiner has rejected claim 1 under 35 U.S.C. §103(a) as being unpatentable over Kronz (United States patent 6,675,196 B1, issued January 6, 2004, hereinafter "Kronz") in view of Crocker (RFC 822, hereinafter "Crocker"). The rejection is respectfully traversed.

In general, Kronz discloses a method and apparatus for enabling any variety of devices to communicate with each other over a common protocol. Specifically, Kronz

discloses a protocol by which one device (a client device) can discover the services offered by another device (a server device), and transmission of various service-commands from the client device to the server devices, where the service-commands identify particular services to be performed by the server devices. (Kronz, Abstract).

Kronz, however, does not teach each and every element of Applicants' invention as recited in independent claim 1. Namely, Kronz does not teach or suggest at least the limitation of "wherein said process is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver." Specifically, Applicants' claim 1 recites:

> A process for the transmission and reception of electronic mail between computer servers over reliable byte-stream transports comprising the steps of:
> a transmitter connecting to a receiver, the receiver sending a greeting to the transmitter, the transmitter replying to the receiver with a greeting and an envelope, the receiver replying to the transmitter with an envelope status, the transmitter receiving the envelope status and sending a message, and the receiver receiving the message and replying with a message status;
> wherein said process is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver.
> (Emphasis added.)

Kronz, on the other hand, teaches transmission of type-commands identifying particular services capable of being performed by the server devices, and transmission of service-commands to request the performance of particular services offered by the server devices. In particular, Kronz teaches that when the link between the client device and a server device is established, a server device identifies itself to the client device by sending a message that enables the client to determine if the server device is capable of using the common protocol. The client device may then initiate several requests, such as a service request, a type request, and a use request. If the client device initiates a service request, the client device uses the common protocol to request the service. If the client device initiates a type request, the server device responds by identifying all of the services that that server device is capable of performing. If the client device initiates a use request, the server device will provide information to the client device that describes the necessary parameters for invoking a particular service.

As such, in the Kronz system, in order to obtain a particular service, a client device must first initiate type requests to various server devices, and must process the responses from the various server devices in order to determine which server devices offer that service. As such, depending on the number of server devices connected to the client device, a large number of type commands may need to be issued, and a large number of type command responses may need to be processed, by the client device. After the server devices capable of providing the desired service have been identified, the client device then issues use commands to the server devices capable of providing the desired service. The client device processes the responses to the use commands for determining the parameters required for obtaining the desired service. The client device then issues a service command to request the service from one or more of the server devices.

As such, it is quite clear that the Kronz system is directed towards increasing the number of services that may be obtained by a client device. As the number of services that may be obtained by a client device increases, the number of type, use, and service commands sent by the client device is increased. In other words, Kronz is directed towards increasing the number of services that may be obtained by a client device irrespective of the messaging overhead for obtaining such services. Thus, Kronz fails to teach or suggest a process adapted for reducing a number of protocol round trips required for delivering messages from a transmitter to a receiver.

Since Kronz teaches the use of numerous messages between the client device and associated server devices, it is quite clear that the Kronz system is actually directed towards increasing the number of protocol round trips between the client device and the associated server devices. Thus, since Kronz is directed towards increasing the number of protocol round trips between the client device and the associated server devices, Kronz simply cannot teach or suggest a process adapted for reducing a number of protocol round trips required for delivering messages from a transmitter to a receiver, as taught in Applicants' invention of at least claim 1.

Therefore, Kronz fails to teach or suggest at least the limitation of "wherein said process is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver," as taught in

Applicants' invention of at least claim 1. Furthermore, Crocker fails to bridge the substantial gap as between Kronz and Applicants' invention of at least claim 1.

In general, Crocker discloses a syntax for text messages that are sent among computer users, within the framework of "electronic mail". In particular, Crocker teaches that messages are viewed as having an envelope and contents. The envelope contains whatever information is needed to accomplish transmission and delivery. The contents include the information to be delivered to the recipient. Crocker, however, fails to teach or suggest at least the limitation of "wherein said process is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver," as taught in Applicants' invention of at least claim 1.

Rather, Crocker teaches syntax rules, field parsing rules, and like rules required for forming ARPA Internet text messages and for processing received ARPA Internet text messages. As such, Crocker merely teaches the format of the ARPA Internet text messages. Crocker is completely devoid of any teaching or suggestion of the actual transmission and reception of such messages between a client and a server. Since Crocker fails to even teach or suggest exchanging such text messages, Crocker must also fail to teach or suggest reducing a number of protocol round trips required between a transmitter and a receiver for sending a message from the transmitter to the receiver, as taught in Applicants' invention of at least claim 1.

The test under 35 U.S.C. §103 is not whether an improvement or a use set forth in a patent would have been obvious or non-obvious; rather the test is whether the claimed invention, considered as a whole, would have been obvious. Jones v. Hardy, 110 USPQ 1021, 1024 (Fed. Cir. 1984) (emphasis added). Moreover, the invention as a whole is not restricted to the specific subject matter claimed, but also embraces its properties and the problem it solves. In re Wright, 6 USPQ 2d 1959, 1961 (Fed. Cir. 1988) (emphasis added). The Kronz and Crocker references, alone or in combination, fail to teach or suggest Applicants' invention as a whole.

Furthermore, the Applicants respectfully submit that there is no suggestion or motivation to combine the teachings of Kronz and Crocker. Kronz teaches a common protocol used for enabling a client device to obtain various services from numerous

associated server devices. As taught in Kronz, the common protocol consists of identifier-based commands including tag-lines of the format x1x2x3-TIME, x1x2x3-ON, and the like. Crocker, on the other hand, is directed towards formatting of mail messages exchanged between end-user devices. The text message formatting rules of Crocker are completely different than the protocol formatting rules of Kronz. Thus, since Kronz and Crocker are directed towards completely different applications, and use completely different message formats in support of those differing applications, there is simply no suggestion or motivation to combine the teachings of Kronz and Crocker.

Furthermore, even if there was a suggestion or motivation to combine the teachings of Kronz and Crocker, the Applicants further submit that Kronz and Crocker cannot be operatively combined. Since Kronz requires an increase in the number of messages between a client device and associated server devices in order to increase the services that the client device may obtain, the identifier-based message format of Kronz is directed towards minimizing the amount of information transmitted in each message. The message format taught in Crocker, on the other hand, is designed for exchange of text-based mail messages between end-user devices. Thus, even if there was a suggestion or motivation to combine the teachings of Kronz and Crocker, the use of the message format of Crocker in the Kronz system would result in an inefficient system with increased messaging overhead required for obtaining various services from server devices.

Moreover, since Crocker is directed towards formatting of text messages to be exchanged between end-user devices, the common protocol of Kronz simply cannot be used for exchanging the ARPA Internet text messages formatted as taught in Crocker. The common protocol of Kronz requires existing connections between the client device and the associated server devices. The formatted text messages of Crocker, on the other hand, would be exchanged between devices without dedicated connections. Thus, even if there was a suggestion or motivation to combine the teachings of Kronz and Crocker, the attempted use of the common protocol of Kronz to exchange messages formatted according to Crocker would result in an inoperable system in which messages could not be exchanged.

Therefore, Applicants submit that independent claim 1 is not obvious in view of Kronz and Crocker alone, or in any permissible combination, and as such, fully satisfies the requirements of 35 U.S.C. §103 and is patentable thereunder. Therefore, Applicants respectfully request that the rejection be withdrawn.

Claim 2

The Examiner has rejected Claim 2 under 35 U.S.C. §103(a) as being unpatentable over Kronz and Crocker as applied to claim 1, in further view of Skeen et al. (U.S. 5,257,369, hereinafter "Skeen") and Holmes et al. (U.S. 6,134,432, hereinafter "Holmes"). The rejection is respectfully traversed.

Claim 2 depends from claim 1 and recites additional features therefor. As discussed above, the combination of Kronz and Crocker does not teach or suggest at least the limitation "wherein said process is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver." In addition, Skeen generally teaches a method and apparatus for providing decoupling of data exchange details for providing high performance communication between software processes. Skeen is completely devoid of any teaching or suggestion of a process adapted for reducing a number of protocol round trips required between a transmitter and a receiver for delivering a message to said receiver. Furthermore, Holmes generally teaches a multiplexing messaging gateway for wireless devices or any other suitable protocols. Holmes is completely devoid of any teaching or suggestion of a process adapted for reducing a number of protocol round trips required between a transmitter and a receiver for delivering a message to said receiver.

Nowhere in the cited references, either singly or in combination, is there any teaching or suggestion of "wherein said process is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver." As such, Kronz-Crocker, Skeen, and Holmes fail to teach or suggest Applicants' invention of at least claim 1, as a whole.

As such, Applicants submit that independent claim 1 is not obvious over Kronz and Crocker in view of Skeen in further view of Holmes, and fully satisfies the

requirements of 35 U.S.C. §103 and is patentable thereunder. Furthermore, since claim 2 depends from independent claim 1, claim 2 is not obvious over Kronz and Crocker in view of Skeen in further view of Holmes and fully satisfies the requirements of 35 U.S.C. §103 and is patentable thereunder. Therefore, Applicants respectfully request that the rejection be withdrawn.

Claim 3

The Examiner has rejected claim 3 under 35 U.S.C. §103(a) as being unpatentable over Kronz-Crocker as applied to claim 1, in view of Fielding, R., "RFC 2068" (hereinafter "Fielding"). The rejection is respectfully traversed.

Claim 3 depends directly from independent claim 1, and recites additional features therefor. As discussed above, the combination of Kronz and Crocker does not teach or suggest at least the limitation "wherein said process is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver," as recited in independent claim 1. In addition, Fielding generally teaches Hypertext Transfer Protocol Version 1.1, an application level protocol for distributed, collaborative, hypermedia information systems. Fielding, however, is completely devoid of any teaching or suggestion of at least the limitation "wherein said process is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver."

Nowhere in the cited references, either singly or in combination, is there any teaching or suggestion of "wherein said process is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver." As such, the combination of Kronz, Crocker, and Fielding fails to teach or suggest Applicants' invention as a whole.

As such, Applicants submit that independent claim 1 is not obvious over the combination of Kronz, Crocker, and Fielding, and fully satisfies the requirements of 35 U.S.C. §103 and is patentable thereunder. Furthermore, since claim 3 depends from independent claim 1, claim 3 is not obvious over Kronz, Crocker and Fielding and fully satisfies the requirements of 35 U.S.C. §103 and is patentable thereunder. Therefore, Applicants respectfully request that the rejection be withdrawn.

Claim 4

The Examiner rejected claim 4 under 35 U.S.C. §103 as being unpatentable over Kronz-Crocker as applied to claim 1, in further view of Fielding. The rejection is respectfully traversed.

Claim 4 depends from claim 1 and recites additional features therefor. As discussed above, the combination of Kronz and Crocker does not teach or suggest at least the limitation of "wherein said process is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver," as recited in independent claim 1. In addition, Fielding generally teaches Hypertext Transfer Protocol Version 1.1, an application level protocol for distributed, collaborative, hypermedia information systems. Fielding, however, is completely devoid of any teaching or suggestion of "wherein said process is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver."

Nowhere in the cited references, either singly or in combination, is there any teaching or suggestion of "wherein said process is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver." As such, the combination of Kronz, Crocker, and Fielding fail to teach or suggest Applicants' invention as a whole.

As such, Applicants submit that independent claim 1 is not obvious over the combination of Kronz, Crocker and Fielding, and fully satisfies the requirements of 35 U.S.C. §103 and is patentable thereunder. Furthermore, since claim 4 depends from independent claim 1, claim 4 is not obvious over Kronz, Crocker, and Fielding and fully satisfies the requirements of 35 U.S.C. §103 and is patentable thereunder. Therefore, Applicants respectfully request that the rejection be withdrawn.

Claim 5

The Examiner rejected claim 5 under 35 U.S.C. §103 as being unpatentable over Kronz and Crocker in further view of Yamasaki (United States patent 5,699,517, issued December 16, 1997, hereinafter "Yamasaki"). The rejection is respectfully traversed.

Claim 5 depends from claim 1 and recites additional features therefor. As discussed above, the combination of Kronz and Crocker does not teach or suggest at least the limitation of "wherein said process is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver," as recited in independent claim 1. In addition, Yamasaki generally teaches a communication network system in which a plurality of information processing equipment, each holding its own program, is connected via a communication line. In particular, a user who has specified items of data processing to be performed is capable of retrieving a program that can process those items from one of the processing equipments. Yamasaki, however, is completely devoid of any teaching or suggestion of "wherein said process is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver."

Nowhere in the cited references, either singly or in combination, is there any teaching or suggestion of "wherein said process is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver." As such, the combination of Kronz, Crocker, and Yamasaki fail to teach or suggest Applicants' invention as a whole.

As such, Applicants submit that independent claim 1 is not obvious over Kronz and Crocker in view Yamasaki, and fully satisfies the requirements of 35 U.S.C. §103 and is patentable thereunder. Furthermore, since claim 5 depends from independent claim 1, claim 5 is not obvious over Kronz and Crocker in view of Yamasaki and fully satisfies the requirements of 35 U.S.C. §103 and is patentable thereunder. Therefore, Applicants respectfully request that the rejection be withdrawn.

Claim 6

The Examiner rejected claim 6 under 35 U.S.C. §103 as being unpatentable over Kronz and Crocker in further view of Richardson (Google Group, comp.os.linux.answer, January 7, 1998, hereinafter "Richardson"). The rejection is respectfully traversed.

Claim 6 depends from claim 1 and recites additional features therefor. As discussed above, Kronz and Crocker does not teach or suggest "wherein said process

is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver," as recited in independent claim 1. In addition, Richardson generally teaches the installation and use of Linux Q-mail to transmit and receive emails. In particular, Richardson teaches that Q-mail is a secure, reliable, efficient simple message transfer agent that is meant as a replacement for the entire sendmail-binmail system on typical Internet-connected UNIX hosts. Richardson is completely devoid of any teaching or suggestion of "wherein said process is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver."

Nowhere in the cited references, either singly or in combination, is there any teaching or suggestion of "wherein said process is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver." As such, Kronz, Crocker, and Richardson fail to teach or suggest Applicants' invention as a whole.

As such, Applicants submit that independent claim 1 is not obvious over Kronz and Crocker in view Richardson, and fully satisfies the requirements of 35 U.S.C. §103 and is patentable thereunder. Furthermore, since claim 6 depends from independent claim 1, claim 6 is not obvious over Kronz and Crocker in view of Richardson and fully satisfies the requirements of 35 U.S.C. §103 and is patentable thereunder. Therefore, Applicants respectfully request that the rejection be withdrawn.

Claim 7

The Examiner rejected claim 7 under 35 U.S.C. §103 as being unpatentable over Kronz and Crocker in further view of Elliot (United States patent 5,764,241, issued June 9, 1998, hereinafter "Elliot"). The rejection is respectfully traversed.

Claim 7 depends from claim 1 and recites additional features therefor. As discussed above, the combination of Kronz and Crocker does not teach or suggest at least the limitation "wherein said process is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver," as recited in independent claim 1. In addition, Elliot generally teaches a method and system for modeling and presenting integrated media with a

declarative modeling language for representing reactive behavior. Elliot is completely devoid of any teaching or suggestion of "wherein said process is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver."

Nowhere in the cited references, either singly or in combination, is there any teaching or suggestion of "wherein said process is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver." As such, Kronz, Crocker, and Elliot fail to teach or suggest Applicants' invention as a whole.

As such, Applicants submit that independent claim 1 is not obvious over Kronz and Crocker in view Elliot, and fully satisfies the requirements of 35 U.S.C. §103 and is patentable thereunder. Furthermore, since claim 7 depends from independent claim 1, claim 7 is not obvious over Kronz and Crocker in view of Elliot and fully satisfies the requirements of 35 U.S.C. §103 and is patentable thereunder. Therefore, Applicants respectfully request that the rejection be withdrawn.

Claim 8

The Examiner rejected claim 8 under 35 U.S.C. §103 as being unpatentable over Kronz and Crocker in further view of Sriram (United States patent 5,463,620, issued October 31, 1995, hereinafter "Sriram"). The rejection is respectfully traversed.

Claim 8 depends from claim 1 and recites additional features therefor. As discussed above, the combination of Kronz and Crocker does not teach or suggest "wherein said process is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver," as recited in independent claim 1. In addition, Sriram generally teaches bandwidth allocation, transmission scheduling and congestion avoidance in broadband asynchronous transfer mode networks. Sriram is completely devoid of any teaching or suggestion of "wherein said process is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver."

Nowhere in the cited references, either singly or in combination, is there any teaching or suggestion of "wherein said process is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver." As such, Kronz, Crocker, and Sriram fail to teach or suggest Applicants' invention as a whole.

As such, Applicants submit that independent claim 1 is not obvious over Kronz and Crocker in view Sriram, and fully satisfies the requirements of 35 U.S.C. §103 and is patentable thereunder. Furthermore, since claim 8 depends from independent claim 1, claim 8 is not obvious over Kronz and Crocker in view of Sriram and fully satisfies the requirements of 35 U.S.C. §103 and is patentable thereunder. Therefore, Applicants respectfully request that the rejection be withdrawn.

Claims 9-10

The Examiner rejected claims 9-10 under 35 U.S.C. §103 as being unpatentable over Kronz and Crocker in further view of Foster (United States patent 5,583,993, issued December 10, 1996, hereinafter "Foster"). The rejection is respectfully traversed.

Claims 9 and 10 depend from claim 1 and recites additional features therefor. As discussed above, the combination of Kronz and Crocker does not teach or suggest "wherein said process is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver," as recited in independent claim 1. In addition, Foster generally teaches a method for synchronously sharing data among a plurality of computer systems. Foster is completely devoid of any teaching or suggestion of "wherein said process is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver."

Nowhere in the cited references, either singly or in combination, is there any teaching or suggestion of "wherein said process is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver." As such, Kronz, Crocker, and Foster fail to teach or suggest Applicants' invention as a whole.

As such, Applicants submit that independent claim 1 is not obvious over Kronz and Crocker in view Foster, and fully satisfies the requirements of 35 U.S.C. §103 and is patentable thereunder. Furthermore, since claims 9 and 10 depend from independent claim 1, claims 9 and 10 are not obvious over Kronz and Crocker in view of Foster and fully satisfy the requirements of 35 U.S.C. §103 and are patentable thereunder. Therefore, Applicants respectfully request that the rejections be withdrawn.

Claim 11

The Examiner rejected claim 11 under 35 U.S.C. §103 as being unpatentable over Kronz and Crocker in further view of Freed (RFC 2045, 1996, hereinafter "Freed"). The rejection is respectfully traversed.

Claim 11 depends from claim 1 and recites additional features therefor. As discussed above, the combination of Kronz and Crocker does not teach or suggest "wherein said process is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver," as recited in independent claim 1. In addition, Freed generally teaches Multipurpose Internet Mail Extensions (MIME), specifically, the format of Internet message bodies. Freed is completely devoid of any teaching or suggestion of "wherein said process is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver."

Nowhere in the cited references, either singly or in combination, is there any teaching or suggestion of "wherein said process is adapted for reducing a number of protocol round trips required between said transmitter and said receiver for delivering said message to said receiver." As such, Kronz, Crocker, and Freed fail to teach or suggest Applicants' invention as a whole.

As such, Applicants submit that independent claim 1 is not obvious over Kronz and Crocker in view of Freed, and fully satisfies the requirements of 35 U.S.C. §103 and is patentable thereunder. Furthermore, since claim 11 depends from independent claim 1, claim 11 is not obvious over Kronz and Crocker in view of Freed and fully satisfies the requirements of 35 U.S.C. §103 and is patentable thereunder. Therefore, Applicants respectfully request that the rejection be withdrawn.

SECONDARY REFERENCES

The secondary references made of record are noted. However, it is believed that the secondary references are no more pertinent to Applicants' disclosure than the primary references cited in the Office Action. Therefore, Applicants believe that a detailed discussion of the secondary references is not necessary for a full and complete response to this office action.

CONCLUSION

Thus, Applicants submit that none of the claims presently in the application are obvious under the provisions of 35 U.S.C. §103. Consequently, Applicants believe that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring any adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Eamon J. Wall, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

E Wall 7/25/05

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